

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

E. Mishan & Sons, Inc.,

SUMMONS IN A CIVIL ACTION

V.

PMC Sales LLC and Does 1-2,

08 CIV 5341
CASE NUMBER.

TO: (Name and address of Defendant)

PMC Sales LLC
3313 Chestnut Circle, Cleveland, TN 37312

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Angelo Notaro, Esq.
Notaro & Michalos P.C.
1270 Broadway, Suite 807
New York, NY 10001-3224

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUN 11 2008

CLERK

DATE

(By) DEPUTY CLERK

RETURN COPY

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service.</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ Date </div> <div style="width: 60%;"> _____ <i>Signature of Server</i> </div> </div> <div style="text-align: center; margin-top: 20px;"> _____ <i>Address of Server</i> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 08 CIV 5341

Purchased/Filed: June 11, 2008

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN COUNTY

E. Mishan & Sons, Inc.

Plaintiff

against

PMC Sales LLC and Does 1-12

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on June 16, 2008, at 11:45am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Summons in a Civil Action, Complaint with Exhibits, Civil Cover Sheet, Rule 7.1 and Electronic Case Filing Rules & Instructions Bearing the above Index # and Filing Date

on

PMC Sales LLC, the

Defendant in this action, by delivering to and leaving with Donna Christie,

AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 1 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; That said service was made pursuant to Section 304 Limited Liability Company Law.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant. A copy of this Affidavit and a copy of the papers have been sent to the defendant via Registered Mail 7778 4256 4275 5000 1840 c/o Paula Chapman, 3313 Chestnut Cir., Cleveland TN 37312.

Description of the person served: Approx. Age: 38 Approx. Wt: 140 Approx. Ht: 5'6

Color of skin: White Hair color: Blonde Sex: Female Other: _____

Sworn to before me on this

18th day of June 2008

Deborah A Bottisti (Beers)

DEBORAH A BOTTISTI
NOTARY PUBLIC, State of New York
No 01BO6036756, Qualified in Albany County
Commission Expires February 7, 2010

Jessica Miller
Jessica Miller

Invoice•Work Order # 0619723

United States District Court

County of Southern District of NY

E. Mishan & Sons, Inc.

VS

PMC Sales LLC and Does 1-12

Index Number: 08 CV 3071

Filed On: 3/26/2008

SUPPLEMENTAL AFFIDAVIT OF SERVICE/MAILING

Jessica Miller, being duly sworn, says:

I am over the age of 18 years and am not a party to this action. On the 18th of June, 2008 I sent on behalf of the Plaintiff herein a copy of the **Summons in a Civil Action, Complaint with Exhibits, Civil Cover Sheet, Rule 7.1 and Electronic Case Filing Rules & Instructions Bearing the above Index # and Filing Date** together with notice of the service upon the Secretary of State thereof to **PMC Sales LLC**, the Defendant herein, by registered mail via United States Postal Service (Registered Mail No. **7778 4256 4275 5000 1840**) in a securely sealed envelope with sufficient postage thereon with return receipt requested addressed to:

c/o Paula Chapman, 3313 Chestnut Cir., Cleveland TN 37312

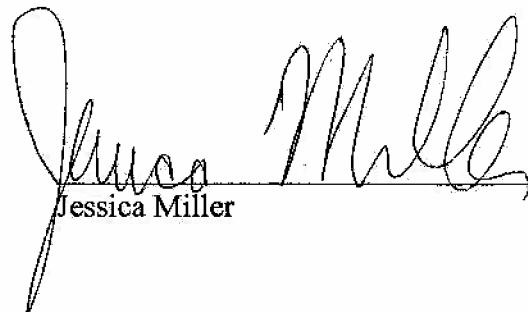
ATTACHED HERETO AND MADE A PART HEREOF IS THE

- ☒ SIGNED RETURN RECEIPT FROM THE DEFENDANT
- ☐ RETURNED MAIL
- ☐ UNCLAIMED
- ☐ RETURNED TO SENDER
- ☐ UNDELIVERABLE AS ADDRESSED

Sworn to before me this
3rd day of July, 2008


Deborah A. Bottisti

Notary Public, State of New York
No. 01BO6036756
Qualified In Albany County
Commission Expires February 7, 2010


Jessica Miller



7778 4256 4275 5000 1840

Service Type **REGISTERED MAIL**Restricted Delivery? (Extra Fee) ☐ Yes

Article Addressed to:

0619723
PMC Sales LLC
c/o Paula Chapman
3313 Chestnut Cir.
Cleveland, TN 37312

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

Paula Chapman

6-30-08

C. Signature

X Paula Chapman

☒ Agent☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☐ NoReference Information

PS Form 3811, July 2001

Domestic Return Receipt